

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19-0006-CR-W-HFS
	)	
	)	
CHRISTOPHER C. KELLEY,	)	
	)	
Defendant.	)	

**MOTION FOR CONTINUANCE**  
**WITH SUGGESTIONS**

COMES NOW the defendant, Christopher C. Kelley, by and through his counsel, Travis D. Poindexter, Assistant Federal Public Defender for the Western District of Missouri, in accordance with Rule 47, Fed. R. Crim. P., and Rule 7.1 (b) and (c) of the Local Rules of Procedure for the United States District Court for the Western District of Missouri, and moves this Court, pursuant to 18 U.S.C. §3161(h)(7)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence August 19, 2019, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence on October 28, 2019.

**SUGGESTIONS IN SUPPORT OF MOTION FOR CONTINUANCE**

1. On December 19, 2018, a Criminal Complaint was filed charging defendant with one count of possessing firearms while under a domestic violence order of protection in violation of 18 U.S.C. § 922(g)(8).
2. On December 19, 2018, the Office of the Public Defender was appointed to represent Mr. Kelley.

3. Counsel have been actively engaged in resolving this case in lieu of trial, however, additional time is need for final approval of an agreement along with consultation of the U.S. Probation Office. One prior continuance request was granted.

4. Alison Dunning, Assistant United States Attorney has indicated she has no objections for this continuance.

5. This continuance is sought not for purpose of dilatory delay, but is sought in truth and fact that the defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution. In accordance with 18 U.S.C. §3161(h)(7)(A) and (B)(iv), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and the defendant to a speedy trial, which is required by 18 U.S.C. §3161(c)(1).

6. Under the provisions of 18 U.S.C. §3161(h)(7)(A) the period of time until the next criminal trial docket should be excluded in computing the period of time in which the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE, the defendant, Christopher C. Kelley respectfully requests this Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence August 19, 2019, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence on October 28, 2019.

Respectfully submitted,

/s/ Travis D. Poindexter  
TRAVIS D. POINDEXTER  
Assistant Federal Public Defender  
818 Grand, Suite 300  
Kansas City, MO 64106  
(816) 471-8282  
ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that on July 23, 2019, the foregoing motion was filed on the ECF system.

*/s/ Travis D. Poindexter*  
Travis D. Poindexter